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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/655,864	09/05/2003	Joseph Brian Gallick	206,194	7291

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EXAMINER

VAN DOREN, BETH

ART UNIT

PAPER NUMBER

3623

DATE MAILED: 04/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/655,864

Applicant(s)

GALLICK ET AL.

Examiner

Beth Van Doren

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 March 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 3/20/06 has been entered.
2. The following is a non-final office action in response to communications received 03/20/06. Claims 1 and 11 have been amended. Claims 1-20 are pending in this application.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-5, 7-15, and 17-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Jimmy Fund (www.jimmyfund.org).

As per claim 1, The Jimmy Fund teaches a method in a computer system for initiating and managing a volunteer group program that includes a plurality of volunteers, the method comprising:

providing an information menu of predetermined program goals to a user of the computer system (See page 1, section 1, page 12, section 1, and pages 15-16, wherein information is provided concerning the predetermined goals of a volunteer program to the user);

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providing an interactive process to the user through the computer system to enable the user to select at least one of the program goals on the menu to pursue (See page 1, section 1, page 12, section 1, and pages 15-16, wherein the user dynamically links through the site and selects the team option to pursue);

generating and outputting electronically, from the computer system, an organizational framework based on the at least one selected goal, with specific roles, responsibilities, and features needed to achieve the at least one selected goal (See pages 15-16, wherein a framework is outputted that corresponds to the team option, the output showing specific roles (team leader versus team member), responsibilities (fundraising and recruitment goals), and features (webpage, email, etc) used to pursue the goal);

providing tools for:

recruiting additional volunteers (See pages 15-16, with tools for recruiting volunteers);

managing and scheduling the volunteer activities of the additional volunteers to complete volunteer tasks (See pages 11-12 and 15-16, wherein the activities of the recruited volunteers (i.e. fundraising and participating in the walk) are managed (the team leader monitors the volunteer fundraising levels) and scheduled (the fundraising must be completed by a specified date and the walk occurs on a specified date)); and

communicating details related to progress of the volunteer group program to all interested parties (See pages 15-16, wherein progress is reported);

providing an option to set a requirement of password access to control access of others to a World Wide Web site associated with the volunteer group program and accessible through the

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computer system (See page 4, section 1, page 15, and page 17, wherein the user has a “my HQ” section requiring login. Also the user may maintain an account with a password);

providing project timelines, procedures, content guidelines, examples, and editable copy from the computer system for use by the additional volunteers (See pages 11-12 and 15-16, wherein timelines (recruiting and fundraising deadlines), procedures (about the walk information), content guidelines (i.e. text about the team on the webpage, such as a default message), examples (how much to raise, ways to gain recognition, etc.), and editable copy (support and recruitment emails) are provided);

providing promotional materials generated by the computer system to build awareness of the volunteer group program among potential new volunteers (See page 16, section 1, wherein promotional materials (encouraging text and pictures) are provided to build awareness of the team and recruit additional volunteers).

However, The Jimmy Fund does not expressly disclose that only a program manager is provided an option to set a requirement of password access.

Jimmy Fund discloses that when a captain/team leader starts a team, this captain is responsible for entering a team name, entering fundraising and recruiting goals, and managing completion of these goals. Jimmy fund further discloses that when a volunteer registers with the system, the volunteer must enter the team name that he/she is joining. Further, the volunteers create a profile on the system called “My HQ” with which they can access and join other teams. The system includes a team web page that is edited and maintained by the team captain and available for access to all team members. Therefore, the art touches on the fact that there is control over the team by the team captain and control over the team web page. Further,

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Examiner points out that a main user inviting other users to view a web page associated with the main user via password protected means is well known in the art. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to have a program manager (i.e. team leader) set a requirement of password access to the team web page in order to more efficiently secure access to the team page by ensuring that the page is available to all team members and not persons who are not part of the team. See pages 15-16 and 20.

As per claim 2, The Jimmy Fund teaches wherein the tools are provided for use through the World Wide Web site accessible through the computer system (See pages 13 and 15-16, wherein the tools are provided via a website).

As per claim 3, The Jimmy Fund wherein access to the tools is provided by telephone means (See page 12, section 1, and page 18, wherein tools are provided via telephone).

As per claims 4 and 5, The Jimmy Fund discloses wherein the managing and scheduling of the efforts of the additional volunteers includes:

periodically checking previously posted and selected tasks for timely completion (See pages 11-12 and 15-16, wherein the fundraising levels assigned are monitored); and

transmitting to a responsible volunteer team member a status of the tasks including the non-completed tasks (See pages 11-12 and 15-16, wherein the team leader is informed of the status of the tasks).

However, The Jimmy Fund does not expressly disclose sending a request for completion of a non-completed task.

The Jimmy Fund discloses a computer-based system that manages a volunteer group and transmits to a user status and progress information concerning the volunteer group, such as

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current fundraising levels. The Jimmy Fund further discloses that a team leader has the ability to send emails to elicit support, recruit volunteers, etc. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to send a request to a member to aid in the completion of a non-completed task or project in order to more efficiently and successfully manage the volunteer group by not only notifying users of the needs of the group, but also request action.

As per claim 7, The Jimmy Fund discloses a calendar subsystem of the computer system to list information on specific dates for which volunteer efforts are needed and to publicize the work of volunteers up to a given date (See pages 15-16, wherein the team leader can see publicized information reflection the work of volunteers up to a given date. See pages 5 and 12-13, wherein specific dates for the activities (such as the completion date for fundraising) are established and viewable on the website).

As per claim 8, The Jimmy Fund teaches a method further comprising:

providing the computer system with a message board management system to manage the posting and viewing of messages to a message board server connected to the computer system which stores and maintains an electronic message board to enable users to publish information and statements of encouragement to the team and the individual or group which the team supports in performing the volunteer group program (See page 16, wherein the team leader can manage a message board that allows the leader to publish text that encourages participation).

As per claim 9, The Jimmy Fund teaches a method further comprising:

providing a World Wide Web or private network interface of the computer system to allow access to a Web site associated with the volunteer group program to provide information to

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Web site visitors regarding the volunteer group program (See figures 1 and 4-5, paragraphs 0008-10, 0188, 0190-4, 0450, and 0655-8, which discusses a web site with access).

As per claim 10, The Jimmy Fund discloses a method further comprising:
providing Internet-based access to computer system for Internet users with Internet access (See pages 13 and 15-16, wherein access is provided via a website); and
providing telephone-based access to the computer system for telephone users without Internet access (See page 12, section 1, and page 18, wherein users may contact the organization via the telephone).

Claims 11-15 and 17-20 recite equivalent limitations to claims 1-5 and 7-10, respectively, and are therefore rejected using the same art and rationale applied above.

5. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over The Jimmy Fund (www.jimmyfund.org) in view of Stremler (U.S. 2005/0033669).

As per claim 6, The Jimmy Fund discloses a method further comprising:
providing a computer system sub-routine to track tasks of the volunteer group program (See pages 15-16, wherein the team leader monitors the status of the volunteer members' tasks) and the ability for the team leader to monitor the status of the tasks and the team leaders ability to send emails (See pages 15-16). However, The Jimmy Fund does not expressly and Stremler discloses generating and send reminder messages to individuals via communication means to insure that the tasks are not overlooked (See paragraphs 0191, 0255, 0383, 0435, 0461, 0475, 0549, 0573, wherein tasks are tracked and reminders are sent).

Both The Jimmy Fund and Stremmer et al. disclose computer-based systems that manage tasks of projects and transmit to users status and progress information concerning the project, such as completion levels. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to send a request to a member to aid in the completion of a non-completed task or project in order to more efficiently and successfully manage the project by not only notifying users of the needs of a project and its tasks, but also requesting action. See paragraphs 0191, 0435, 0461, 0549, 0573, which discuss progress reporting and reminders.

Claim 16 recites equivalent limitations to claim 6 and is therefore rejected using the same art and rationale applied above.

Response to Arguments

6. Applicant's arguments with regards to The Jimmy Fund (www.jimmyfund.org) have been fully considered, but they are not persuasive. In the remarks, Applicant argues that The Jimmy Fund does not teach or suggest (1) providing an option to only a program manager to set a requirement of password access to control access of others to a Web site associated with the volunteer group program, and (2) team leaders of the present invention who have sole control over editing documents generated by the volunteer program.

In response to argument (1), Examiner points out that this is a new limitation amended in the currently received communications. Therefore, based on this amendment, examiner has asserted new 35 USC 103 rejections above to meet this limitation. Please see above for the discussion and 35 USC 103 analysis of this limitation.

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In response to argument (2) that the reference fails to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., document editing) are not recited in the rejected claims. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Bain (U.S. 2004/0225518) discloses a website that manages a fundraising campaign and includes registering sponsor and sub-users authorized to edit and change information by collecting information and passwords and security levels on the sponsor.

Maierhofer et al. (U.S. 2005/0021352) teaches a management web site that allows for management of groups, such as volunteers.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Beth Van Doren whose telephone number is (571) 272-6737. The examiner can normally be reached on M-F, 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

bvd

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April 26, 2006

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3600